

EHB 1276 - S COMM AMD

By Committee on Government Operations & Elections

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 34.05.360 and 1988 c 288 s 311 are each amended to
4 read as follows:

5 (1) Except as provided in subsection (2) of this section, the order
6 of adoption by which each rule is adopted by an agency shall contain
7 all of the following:

8 ~~((1))~~ (a) The date the agency adopted the rule;

9 ~~((2))~~ (b) A concise statement of the purpose of the rule;

10 ~~((3))~~ (c) A reference to all rules repealed, amended, or
11 suspended by the rule;

12 ~~((4))~~ (d) A reference to the specific statutory or other
13 authority authorizing adoption of the rule;

14 ~~((5))~~ (e) Any findings required by any provision of law as a
15 precondition to adoption or effectiveness of the rule; and

16 ~~((6))~~ (f) The effective date of the rule if other than that
17 specified in RCW 34.05.380(2).

18 (2) The order of adoption must also contain the signature of the
19 governor, if the rule:

20 (a) Qualifies as a significant legislative rule subject to the
21 provisions of RCW 34.05.328(5);

22 (b) Is proposed by an agency whose head is appointed by the
23 governor; and

24 (c) Has received, during the official comment period, public
25 comments opposing the substance of the rule from at least fifty
26 affected parties, not including any form letter or form letter-type
27 comments.

28 **Sec. 2.** RCW 34.05.335 and 1989 c 175 s 8 are each amended to read
29 as follows:

1 (1) A proposed rule may be withdrawn by the proposing agency at any
2 time before adoption. A withdrawn rule may not be adopted unless it is
3 again proposed in accordance with RCW 34.05.320.

4 (2) Before adopting a rule, an agency shall consider the written
5 and oral submissions, or any memorandum summarizing oral submissions.

6 (3) Rules not adopted and filed with the code reviser within one
7 hundred eighty days after publication of the text as last proposed in
8 the register shall be regarded as withdrawn, except that this period is
9 extended for an additional sixty days for a rule that requires the
10 governor's signature under RCW 34.05.360(2). An agency may not
11 thereafter adopt the proposed rule without refiling it in accordance
12 with RCW 34.05.320. The code reviser shall give notice of the
13 withdrawal in the register.

14 (4) An agency may not adopt a rule before the time established in
15 the published notice, or such later time established on the record or
16 by publication in the state register."

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17 On page 1, line 2 of the title, after "rules;" strike the remainder
18 of the title and insert "and amending RCW 34.05.360 and 34.05.335."

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